

FEB -6 2008

UNITED STATES DISTRICT COURT
DISTRICT OF THE NORTHERN MARIANA ISLANDS

For The Northern Mariana Islands
By _____
(Deputy Clerk)

UNITED STATES of AMERICA,

Plaintiff,

v.

CHEN, Guang Jing

Defendant.

Case No.: **CR 08 - 00007**

**AFFIDAVIT IN SUPPORT OF
COMPLAINT AND WARRANT
OF ARREST**

I, DANIEL G. HOLCOMB, a Special Agent with the Drug Enforcement Administration (“DEA”), after being duly sworn, depose and say as follows:

1. I am a Special Agent with the DEA and have been for about eight and one-half years. I am assigned to the DEA’s Saipan office, located in the Commonwealth of the Northern Mariana Islands. The following is based on my own investigation or on information that was provided to me by other law enforcement officers who participated in and are familiar with this investigation.

2. On February 1, 2008, at approximately 6:00 p.m., DEA Task Force Officer (“TFO”) Daniel Punimata was purchasing a drink at a store in San Antonio Village, Saipan. As TFO Punimata left the store, he saw CHEN Guang Jing walking along a gravel road by the store. TFO Punimata knew from his participation in the investigations being conducted by the DEA’s Saipan office that CHEN was the target of an ongoing methamphetamine-trafficking investigation.

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2 3. TFO Punimata drove his vehicle to where CHEN was walking, and TFO
3 Punimata asked CHEN if he remembered him (TFO Punimata). CHEN replied, "No." TFO
4 Punimata then told CHEN that he (TFO Punimata) wanted to purchase crystal
5 methamphetamine, or "ice," from CHEN. CHEN replied, "Nothing now." TFO Punimata
6 knew from his training and experience that CHEN's statement indicated that CHEN did not
7 have any methamphetamine to sell to TFO Punimata at that time.

8 4. TFO Punimata then asked CHEN if he (CHEN) had a cellular telephone where
9 TFO Punimata could call him. CHEN said no. TFO Punimata told CHEN that he (TFO
10 Punimata) was getting a "large check" on Monday and wanted to buy one gram of
11 methamphetamine from CHEN. TFO Punimata asked CHEN to call him on Monday,
12 February 4, 2008. TFO Punimata then wrote down his cellular telephone number with the
13 name "Dion," handed the paper to CHEN and left the area.¹

14 5. On February 4, 2008, at approximately 3:30 p.m., TFO Punimata received a
15 telephone call from CHEN, who was using telephone number (670) 234-2185. CHEN asked
16 TFO Punimata if he had the money that he (TFO Punimata) had referred to on February 1,
17 2008. TFO Punimata told CHEN that he did not have the money but expected to have the
18 money on February 5, 2008. TFO Punimata then asked CHEN if he (CHEN) would give him
19 (TFO Punimata) a good deal on one gram of methamphetamine. CHEN told TFO Punimata
20 "4-5," which TFO Punimata knew was a reference to \$450. TFO Punimata then agreed to
21 CHEN's price of \$450 for one gram of methamphetamine, and he told CHEN to call him the
22 following day at the same time.²

23 ¹ Because of the spontaneous nature of the meeting between CHEN and TFO Punimata, TFO Punimata was
24 not equipped with any kind of recording device. Therefore, the meeting between CHEN and TFO Punimata on
25 February 1, 2008, was not recorded.

² Because CHEN did not provide a telephone number to TFO Punimata on February 1, 2008, TFO Punimata
did not know when he answered his telephone that he was receiving a call from CHEN. Therefore, TFO Punimata
was unable to prepare the audio recording equipment necessary to record this telephone call, and no recording was
made.

1 6. On February 5, 2008, at approximately 4:15 p.m., TFO Punimata received a
2 telephone call from CHEN, who was again using telephone number (670) 234-2185. TFO
3 Punimata and SA Daniel Holcomb recorded this telephone conversation. During the
4 conversation, CHEN again asked TFO Punimata if he had money. TFO Punimata told CHEN
5 that he was at the Bank of Hawaii in Gualo Rai, Saipan, picking up the money. CHEN told
6 TFO Punimata that he (CHEN) had the one gram of methamphetamine, and TFO Punimata
7 confirmed with CHEN that the price for the one gram was still \$450. TFO Punimata and
8 CHEN then agreed to meet at the same store in San Antonio, Saipan, where TFO Punimata
first encountered CHEN on February 1, 2008.

9 7. Surveillance officers then equipped TFO Punimata with digital recording and
10 transmitting devices, and they provided TFO Punimata with \$500 of official funds to purchase
11 the one gram of methamphetamine from CHEN. Surveillance officers then followed TFO
12 Punimata to the convenience store located immediately north of the Sunleader Store in San
13 Antonio Village, Saipan.

14 8. When TFO Punimata arrived at the store, he parked in the parking lot. At
15 approximately 4:30 p.m., surveillance officers saw CHEN walk up to TFO Punimata's vehicle
16 and get into the passenger seat of the car. CHEN then directed TFO Punimata to drive out of
17 the parking lot by pointing across the street. TFO Punimata then drove across Beach Road
18 towards the Herjoy Apartment building, followed by surveillance officers. As TFO Punimata
19 drove, CHEN continued to point TFO Punimata in different directions. As CHEN continued to
20 point to where he wanted TFO Punimata to drive, he (CHEN) attempted to grab the \$500 of
21 official funds from TFO Punimata. At CHEN's direction, TFO Punimata stopped in front of
the San Antonio Elementary School parking lot.

22 9. After TFO Punimata and CHEN stopped in front of the elementary school,
23 CHEN asked TFO Punimata for the money. TFO Punimata told CHEN that he (CHEN) could
24 not have the money until CHEN gave TFO Punimata the methamphetamine. CHEN then
25 reached into his pants pocket and removed a small plastic bag that contained a crushed, glass-

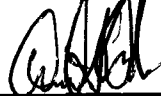
1 like substance that TFO Punimata recognized as methamphetamine. TFO Punimata then
2 handed CHEN the \$500 of official funds, which CHEN put in his left-front pants pocket.

3 10. TFO Punimata and CHEN then drove back towards Beach Road. When TFO
4 Punimata stopped his vehicle at a stop sign near the YTT Gold Store, located on Beach Road in
5 San Antonio Village, CHEN got out of the passenger seat of TFO Punimata's vehicle and
6 began to walk south on Beach Road. TFO Punimata then gave a pre-arranged arrest signal to
7 surveillance officers. Surveillance officers then surrounded CHEN and arrested him.
8 Surveillance officers transported CHEN to the DEA's Saipan office.

9 11. At the DEA office, Sgt. Rangamar and TFO Celes searched CHEN and found the
10 \$500 of official funds given to CHEN by TFO Punimata, in CHEN's left-front pants pocket.
11 Sgt. Celes also field-tested and weighed the crushed, glass-like substance that CHEN sold to
12 TFO Punimata. The substance field-tested positive for methamphetamine and weighed 1.5
grams.

13 12. SA Holcomb then read CHEN his Miranda warning through Dennis Tse, a
14 Mandarin-language interpreter. CHEN stated that he understood the Miranda warning. CHEN
15 signed a Mandarin-language waiver of rights and agreed to answer questions. CHEN stated
16 that on February 1, 2008, he knew that TFO Punimata was attempting to purchase one gram of
17 methamphetamine from him. CHEN also stated that when he called TFO Punimata on
18 February 4, 2008, he was attempting to determine if TFO Punimata had obtained the money
19 that he needed to purchase one gram of methamphetamine. CHEN also stated that when he
20 called TFO Punimata on February 5, 2008, he was attempting to determine if TFO Punimata
21 obtained the money that he needed to purchase one gram of methamphetamine. CHEN also
22 stated that when he agreed to meet TFO Punimata at the store in San Antonio Village, Saipan,
23 CHEN knew it was for the purpose of delivering one gram of methamphetamine to TFO
24 Punimata. CHEN also stated that he knew that the crushed, glass-like substance that he
25 delivered to TFO Punimata on February 5, 2008, was methamphetamine.

1 13. Based on the foregoing information, there is probable cause to believe that
2 HUANG has violated 21 U.S.C. §§ 841(a)(1) and (b)(1)(C).

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4 DANIEL G. HOLCOMB, Special Agent
5 Drug Enforcement Administration

6 SUBSCRIBED and SWORN to before me this 5 day of February, 2008.

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8
9 DAVID WISEMAN
10 DESIGNATED JUDGE
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